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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|---------------------------------|---------------------|------------------|
| 10/003,066 | 11/02/2001 | Geert Florimond Gerard Depovere | NL 000588 | 4924 |

24737 7590 05/24/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT PAPER NUMBER

2132

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,066

Applicant(s)

DEPOVERE ET AL.

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6/3/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specifications

1. The appropriate titles for each sections within the specification are not present, the Examiner believes the titles belong as listed below in the following order:

Cross-Reference to Related Applications(*Deficient in the current specification, but should include the listed EPO 00203893.3 11/07/2000 on Page 1 before Line 1 and after the Title*)

Background of Invention(*On Page 1 before Line 1 after Cross-Reference to Related Application*)

1. Field of Invention(*On Page 1 before Line 1 after Background of Invention*)

2. Description of Related Art(*On Page 1 before Line 4*)

Summary of Invention(*On Page 4 before Line 1*)

Brief Description of Drawings(*On Page 5 after Line 25*)

Description of Preferred Embodiments(*On Page 5 after Line 32*)

2. On Page 2 Line 3, the Applicant states " $L = [-1 \ -1 \ -1; -1 \ 8 \ -1, -1 \ -1 \ -1]$ ", the Examiner believes that it should be " $L = [-1 \ -1 \ -1; -1 \ 8 \ -1; -1 \ -1 \ -1]$ ", the missing semicolon to be included in order to form an proper matrix.

3. The Applicant is reminded that the claims listed within the specifications should reflect the change if amendment is made in the next correspondence. Namely, the claims listed on pages: 4 Ln 7-9 and 5 Ln 15-22.

4. On Page 6 Line 23, the Examiner believes there should be an comma(,) after "modulated" in order to indicate a proper transition between prepositions.

5. The Abstract mentions "Fig. 1" on line 12. It is not pertinent to the Abstract.

Appropriate correction required.

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-10 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5930369 to Cox et al.(hereinafter Cox)

Regarding Claim 1, Cox discloses the determining local weight factors based on temporal data of information signal for watermarking, where the watermark is substantially imperceptible and embedding the watermark within an information signal
See Col. 6 Ln 12-38.

Regarding Claim 2, Cox discloses the determining of local weight factors based on spatial data see Col. 9 Ln 6-19.

Regarding Claim 3, Cox discloses the HVS imperceptible properties being used to determine weight factor used for watermarking see Col 6 Ln 45-63.

Regarding Claim 4, 5 and 6, Cox discloses the local weight factors being determined by motion data, scene changes, motion estimation see Col. 6 Ln 39-44 & Col. 5 Ln 46-50.

Regarding Claim 7, Cox discloses the motion vectors being calculated by video compression process see Col. 8 Ln 22-33.

Claim 8, 9, and 10 is rejected under the same rationale as Claim 1 above.

Conclusion

The following patents are cited to further show the state of art in general:

U.S. Patent 5,848,155 to Cox

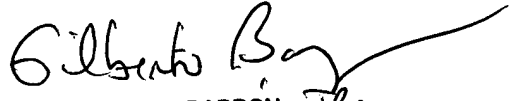
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP
5/18/2005

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100